

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:  
Heir, Jason & Carrie

Chapter 13 Plan

Dated 06/14/04

Case No. \_\_\_\_\_

DEBTOR(S)  
In a joint case, debtor  
means debtors in this plan

**1. PAYMENTS BY THE DEBTOR-**

- a. As of the date of the plan, the debtor has paid the Trustee \$ \_\_\_\_\_.
- b. After the date of this plan, the debtor will pay the trustee \$ 550 per month for 50 months, beginning within 30 days after filing this plan for a total of \$ 27500 or until all allowed claims are paid in full, whichever happens first.
- c. The debtor will also pay the trustee \_\_\_\_\_.
- d. The debtor will pay the trustee a total of \$ 27500 [line 1a) + line 1(b) + line 1(c)].

**2. PAYMENTS BY TRUSTEE -** The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$ 2,750.00 or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will be accumulate & be paid following confirmation.

**3. PRIORITY CLAIMS -** The trustee shall pay in full all claims entitled to priority under sec. 507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

Creditor	Estimated Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. Attorney Fees	\$ 1250	\$ 495/260	1/3	3	\$ 1250
b. Internal Revenue Service	\$ 1026	\$ Pro Rata			\$ 1026
c. Minn. Dept. of Revenue	\$ 2664	\$ Pro Rata			\$ 2664
d.	\$	\$			\$
e.	\$	\$			\$
f. TOTAL					\$ 4940

**4. SECURED CLAIMS NOT IN DEFAULT -** The following creditors have secured claims. Payments are current & the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

- a. US Department of Education-student loans
- b.

**5. HOME MORTGAGES IN DEFAULT -** The trustee will cure defaults on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

CREDITOR	AMOUNT OF DEFAULT	MONTHLY PAYMENT	BEGINNING IN MONTH #	NUMBER OF PAYMENTS	TOTAL PAYMENTS
a. Wells Fargo	\$ 1680	\$ 105	3	16	\$ 1680
b. FCC	\$ 224	\$ 14	3	16	\$ 224
c.	\$	\$			\$
d. TOTAL					\$ 1904

**6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT -** The trustee will cure defaults on other claims as follows & the debtor the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

CREDITOR	AMOUNT OF DEFAULT	MONTHLY PAYMENT	BEGINNING IN MONTH #	NUMBER OF PAYMENTS	TOTAL PAYMENTS
a.	\$	\$			\$
b.	\$	\$			\$
c.	\$	\$			\$
d. TOTAL					\$

7. **OTHER SECURED CLAIMS-** The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim. The creditor's allowed claim shall be the creditor's claim or the value of the creditor's interest in the debtor's property, whichever is less. Except for the IRS creditors shall retain their liens until their secured claim is paid in full, at which time property securing said claim shall vest in the debtor free and clear of any lien, claim or interest of the secured creditor. **NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. SEC. 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. SEC. 506(A).**

CREDITOR	% INT RATE	CLAIM AMOUNT	SECURED CLAIM	ESTIMATED MONTHLY PAYMENT	ESTIMATED BEGINNING IN MONTH #	ESTIMATED NUMBER OF PAYMENTS	TOTAL
a. Chrysler Financial	6	\$ 9314	\$ 5425	\$ 116	3	54	\$ 6,267
b. Wells Fargo Financial Ac	6	\$ 18579	\$ 9500	\$ 260	4	39	\$ 10,693
c.		\$	\$	\$			
d.		\$	\$	\$			
e.		\$	\$	\$			
f.		\$	\$	\$			
g. TOTAL							\$ 16,960

8. **SEPARATE CLASS OF UNSECURED CREDITORS-**In addition to the class of unsecured creditors specified in paragraph, there shall be a separate class of nonpriority unsecured creditors described as follows:

- a. The debtor estimates that the total claims in this class are \$ \_\_\_\_\_.
- b. The trustee will pay this class \$ \_\_\_\_\_.

9. **TIMELY FILED UNSECURED CREDITORS-**The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under paragraphs 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$ 946.00 [line 1(d) minus lines 2, 3(c), 5(d) and 8(b)].

- a. The debtor estimates that the total unsecured claims held by creditors listed in paragraph 7 are \$ 12,968
- b. The debtor estimates that the total unsecured claims (excluding those in paragraphs 7 & 8 are \$34,465
- c. Total estimated unsecured claims are \$47,433 [line 9(a) plus line 9(b)].

10. **TARDILY-FILED UNSECURED CREDITORS-**All money paid by the debtor to the trustee under paragraph 1, but not distributed by the trustee under paragraphs 2,3,5,6,7,8 or 9 shall be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

11. **OTHER PROVISIONS -** The trustee may distribute any funds that are not allocated above at his/her discretion. To the extent that Child Support is an unsecured claim for AFDC reimbursement, it shall be designated a separate class and paid in full. In the event property tax debts are filed as secured claims, they shall be paid as secured claims, but they shall be paid as set forth in Paragraph 3 or as set forth in Paragraph 6 above.

Please note: Child Support Collections is authorized to continue automatic wage withholding for ongoing, post-petition child support. Child Support Collections may obtain, modify & enforce the debtor's current ongoing child support obligation, including medical support & child care, including wage withholding. All of the debtor's projected disposable income in the 3 year period beginning on the date that the first plan payment is due will be applied to make payments under the plan.

Any non-exempt proceeds from personal injury claims shall be turned over to the trustee.

-US Department of Education payments shall be made directly outside of plan on student loans.

12. **SUMMARY OF PAYMENTS - ESTIMATED**

Trustee's fee [Line 4]	\$ 2,750.00
Priority Claims [Line 3(f)]	\$ 4,940.00
Home Mortgage Defaults [Line 5(d)]	\$ 1,904.00
Long-Term Debt Defaults [Line 6(d)]	
Other Secured Claims [Line 7(g)]	\$ 16,960.00
Separate Class [Line 8(b)]	
Unsecured Creditors [Line 9]	\$ 946.00
<b>TOTAL [Must equal Line 1(d)]</b>	<b>\$ 27,500.00</b>

Attorney for Debtor

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Signed

Debtor

Signed

Debtor (joint case)